

time, the question is, Shall the joint resolution pass?

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 65, nays 35, as follows:

[Rollcall Vote No. 98 Leg.]

YEAS—65

Abraham	Frist	McConnell
Ashcroft	Gorton	Moseley-Braun
Baucus	Graham	Murkowski
Bennett	Gramm	Nickles
Biden	Grams	Nunn
Bond	Grassley	Packwood
Breaux	Gregg	Pressler
Brown	Harkin	Robb
Bryan	Hatch	Roth
Burns	Heflin	Santorum
Campbell	Helms	Shelby
Chafee	Hutchison	Simon
Coats	Inhofe	Simpson
Cochran	Jeffords	Smith
Cohen	Kassebaum	Snowe
Coverdell	Kempthorne	Specter
Craig	Kohl	Stevens
D'Amato	Kyl	Thomas
DeWine	Lott	Thompson
Domenici	Lugar	Thurmond
Exon	Mack	Warner
Faircloth	McCain	

NAYS—35

Akaka	Feinstein	Levin
Bingaman	Ford	Lieberman
Boxer	Glenn	Mikulski
Bradley	Hatfield	Moynihan
Bumpers	Hollings	Murray
Byrd	Inouye	Pell
Conrad	Johnston	Pryor
Daschle	Kennedy	Reid
Dodd	Kerry	Rockefeller
Dole	Kerry	Sarbanes
Dorgan	Lautenberg	Wellstone
Feingold	Leahy	

The PRESIDING OFFICER. On this vote, the yeas are 65, the nays are 35. Two-thirds of the Senators voting not having voted in the affirmative, the joint resolution is not passed.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. DOLE. I enter a motion to reconsider the vote by which the constitutional amendment was defeated.

The PRESIDING OFFICER. The motion will be received.

Mr. DOLE addressed the Chair.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. DOLE. I ask unanimous consent that there now be a period for the transaction of morning business until 3:15 p.m., with Senators allowed to speak for not more than 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BASE CLOSURE COMMISSION

Mr. COHEN. Mr. President, as if in executive session, I ask unanimous consent that at 4:15 p.m. the Senate go into executive session to consider the Defense Base Closure and Realignment Commission, Executive Calendar Nos. 12 through 17, and the nomination of

Major General Robles, en bloc under the following time limitation: 30 minutes equally divided between the majority leader and Senator NUNN; further, that at the conclusion or yielding back of time, with no intervening debate or action, the Senate immediately vote on the confirmation of the nominations en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMON addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. SIMON. Mr. President, I would ask for order.

The PRESIDING OFFICER. The Senate will be in order.

Senators will please remove their conversations to the Cloakroom.

The Senator from Illinois.

Mr. SIMON. Thank you, Mr. President.

BREAKING THE SPENDING ADDICTION

Mr. SIMON. Mr. President, I wish to thank several people, and then I would like to take a couple of minutes for a brief comment on what has just taken place.

I wish to thank Senator HATCH, who has been great to work with, who has been a real leader on this. Senator CRAIG came over from the House and was like a breath of fresh air working on all of this. Senator THURMOND through the years provided leadership.

On our side, Senator HEFLIN was very helpful. I have to acknowledge a former Senator who helped prior to this time, Senator DeConcini; my colleague from Illinois, Senator CAROL MOSELEY-BRAUN has been superb; Senator CAMPBELL; Senator ROBB. And I also want to pay tribute to the leader of the opposition, with whom I sincerely differ on this, Senator BYRD. He is a powerful and highly respected opponent.

I also want to thank Congressman CHARLIE STENHOLM and the House Members for all the work they did, and very specifically Aaron Rappaport from my staff, and all the other staff members on my staff and the other staffs who spent so much time on this.

Mr. President, this is a sad day in the history of our Nation. We have narrowly missed the opportunity to give generations to come a brighter future. Presented the chance to break our addiction to economic gluttony, by the narrowest of margins, we have determined that we do not have the will to kick the habit. Like a pregnant woman whose child to be will suffer from a cocaine addiction, we cannot summon the will to break our debt addiction even though we know it will harm our children.

We will break our addiction sometime in the future, the Senate said in 1986, when it also failed to pass the balanced budget amendment by one vote. The national debt then was \$2 trillion. We can solve our problem without a

constitutional amendment, voices on the Senate floor urged then and, of course, we have not. Now the debt is \$4.8 trillion instead of \$2 trillion, and the attractive siren song of the opposition is the same.

It would have been easier to break the habit in 1986 than in 1995, and it is easier in 1995 than it will be in 1999. Each year, the grip of the addiction grows, and each year we spend more and more on interest and less and less in ways that help the most vulnerable in our society.

We are headed toward monetizing our debt and devaluing our currency, the steps nations take historically as they pile up too much debt. No nation has come close to accumulating the amount of peacetime debt that we have. When and if monetizing our debt occurs, everyone in our society will suffer.

Ironically, among those who will suffer the most are those on Social Security, because of the devaluation of the U.S. Treasury bonds which secure the Social Security retirement trust funds. I say ironically because much of the opposition to the balanced budget amendment has been mounted in the name of Social Security. The threat to Social Security is the debt, and the real way to protect Social Security is this balanced budget amendment. Instead of giving our economy a lift with lower interest rates that come with the reduced deficit, the Senate has made a decision to stumble along and have higher interest rates.

There are at least two proposals to move us on a glidepath toward a balanced budget by the year 2002 without a constitutional amendment. I probably will support one of them, though it is unlikely the goal will be achieved without the discipline of the constitutional amendment. But even if the goal is achieved, because there is not the long-term assurance to the financial markets that a constitutional amendment offers, interest rates will not be reduced as much. The Nation will pay a staggering interest penalty for which we will get nothing other than higher interest rates. Those who purchase bonds combine the need for a small profit margin plus a hedge against inflation. We have just increased the cost of the hedge against inflation.

Because the trade deficit is tied into the budget deficit, we will continue to export more American jobs, and our standard of living, that could rise significantly, will at best move up modestly, perhaps decline. With higher interest rates there will be less investment that would create more industrial and construction jobs.

Is it impossible to kick the debt habit? No. But each year that goes by it becomes more difficult and at some point it becomes politically impossible. I do not know where that point is nor does anyone else. We have done today what most addicts do—postpone the tough decision. Future generations will not look upon this day with pride.

I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I associate myself with the excellent remarks of the distinguished Senator from Illinois. I do not think anybody could have said it better. I do not think anybody could have said it more clearly. I personally feel he has done us a great honor in making these remarks and in pointing out the future of our country—what we are going to go through if we do not ultimately pass this balanced budget amendment—I would say within the near future.

I also want to pay tribute to him for his stalwart steadfastness in standing up for this balanced budget amendment. It has not been easy for him on his side of the floor, with only 13 other of his 47 Democrat colleagues. I know what he has gone through. I pay tremendous tribute to him as one of our great leaders for this cause at this time.

Mr. President, I also would like to pay tribute to my colleague Senator CRAIG for the long hours and efforts he has made as the leader of our rapid response team. He has worked tirelessly his whole congressional career, both in the House and here in the Senate, to try to pass a balanced budget constitutional amendment.

There are many others who are too numerous to mention. The distinguished senior Senator from South Carolina, Senator THURMOND, has been our leader on the balanced budget amendment ever since I got here. Senator HEFLIN on the other side of the floor, Senator EXON, who worked so hard, and many, many others. I do not want to leave anybody out, but let me leave it at that.

I want to pay tribute to my colleague from West Virginia. Unlike, I think, a number of others—a number of others—he has sincerely believed in his position and he has advocated it with force and with strength and, frankly, deserves credit for winning this battle. I want to pay tribute to him as a floor leader and an acknowledged master of floor debate and as somebody for whom I have a great deal of respect. I do so because of the way he has conducted himself and the way he has handled his side of the debate in this matter. You have to have respect for opponents who believe in what they are doing.

But having said that, if there is something I feel particularly badly about, it is that a handful of Senators and the President have won this battle and the American people have lost. That is my opinion and I acknowledge that. Everybody knows how sincerely I feel about this issue as well. The people have lost this skirmish today. But this battle is not over.

I just want the American people to understand that one of the things I feel worst about in this whole debate is that some have tried to bring Social

Security into the debate to frighten our senior citizens, as though that was really a part of this debate. I do not think there is a senior citizen in this country, not one that I know of who cares for his or her country, who does not understand that when you are talking about a balanced budget amendment to the Constitution, you can have no mere statutory programs exempted from or referred to in the text of the basic governing document of our country. It has never been done, and it is not right. If you attempt to carve out a special exception to the basic law of the land for a specific group of statutory beneficiaries, you will divide the country and hurt everybody else who does not belong to that special interest group. Ironically, in this case, you would hurt those beneficiaries too. The biggest threat to Social Security is our Government's profligacy. And an exemption for Social Security would lead some to try to use the trust fund to pay for other popular programs or create a loophole to keep deficit-spending. And it would keep the debt going up, which would ultimately harm those on fixed incomes and risk the viability of the trust funds.

Having said that, I do not think there is a senior citizen in this country presently on Social Security, who understands the importance of our country and how to keep it great, who would not be willing to sacrifice to keep it great if they were so called upon. And I believe they would not want to have a specific carve-out of any statutory programs—no matter how important—in the text of the Constitution. We just don't do that in the Constitution. To make Social Security part of this debate in the way it was by some, I felt, was beneath the dignity of the Senate. Some were sincere, I will acknowledge that. But let us be clear, for three or four decades now we have taken Social Security funds and counted them as receipts to the Federal Government in the budget system, we certainly have since President Johnson established the unified budget system—under both Democrat and Republican Senates and Presidents. For people to make Social Security and the unified budget a political football I think was just plain, downright wrong. To frighten our senior citizens for mere political purposes is despicable.

Having said that, just so everybody in this country understands, this is only battle No. 1. This is not over. We lost today, 66 to 34. We had 99 percent of all Republicans in both Houses voting for the balanced budget amendment. One percent did not. Less than 33 percent of the Democrats voted for it. So we have a clear delineation, as far as I am concerned. But I praise the 14 Democrats who did vote for it here today because they are heroes, in my eyes.

The reason the vote was 65 to 35 is because our distinguished majority leader, knowing that this war is not over, over the balanced budget amendment,

he had to switch his vote and vote "no" so that he could make the procedural motion to reconsider the vote so that the amendment can come back again—perhaps before the end of this year, certainly before the end of next year.

This is just vote one on the balanced budget amendment. There definitely will be another vote. And if the American people understand this issue and they really want to do something about it, they should start letting those who voted against the amendment know how they feel. They should start letting them know now. I call on all senior citizens to start telling their representatives and the special interest lobbyists, "Quit playing games with Social Security, and do what is right for the country," and if they do so and we pass the balanced budget amendment, Social Security, as the distinguished Senator from Illinois has wisely spoken, will then be secure.

The only way to make Social Security secure—it seems to me the only way—is to keep a strong economy. And with business as usual—without the balanced budget amendment—we are not going to be doing that.

Mr. President, an effort such as the one we have been involved in over the past month requires the time, talent, and commitment of a large number of people. While I cannot name them all, I would like at this time to extend my gratitude to the Senators and staff who were so instrumental on this.

Let me first thank our majority leader for his pivotal role.

Senators SIMON, CRAIG, and THURMOND, of course, have my admiration and my thanks.

I am also especially proud of all of our new Senators who have graciously and effectively played a major role: Senators LOTT, DOMENICI, COVERDELL, and SMITH, and all 11 of our new Senators, Senators ABRAHAM, ASHCROFT, DEWINE, FRIST, GRAMS, INHOFE, KYL, SANTORUM, SNOWE, THOMAS, and THOMPSON have also joined in leading our effort over this past month. And Senator NUNN has been, as always, a studious and effective proponent.

Finally, I would like to single out some of the staff members who worked so long and hard on this matter: David Taylor (Dole); Aaron Rappaport and Susan Kaplan (Simon); Damon Tobias and Alan Kay (Craig); Thad Strom (Thurmond); Andrew Effron (Nunn); Bill Hoagland and Austin Smythe (Domenici), and David Hoppe and Alison Carroll (Lott).

Lastly, Mr. President, I would like to thank the very special people who have worked with me on this issue: Shawn Bentley; Larry Block; Sharon Prost; Mark Disler; Manus Cooney; Steve Tepp; Jason Adams, and Steven Schlesinger. They have all worked long and hard hours in the most dedicated fashion, and I love them for their devotion to duty and our country.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I will not detain the Senate. Mr. President, I do not expect to take 7 minutes. However, I ask unanimous consent that, in the event I should need an additional 2 minutes, I not be interrupted and that I have them.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I thank the Chair. I thank my colleagues.

Mr. President,

The way a crow
Shook down on me
The dust of snow
From a hemlock tree
Has given my heart
A change of mood
And saved some part
Of a day I had rued.

I congratulate the Senate today. The debate has been constructive, the occasion has been historic, and the issue has been decided in favor of the sanctity of the Constitution of the United States of America.

The debate has been full and extensive, in the best tradition of the Senate, and such debates have become more infrequent in recent years. I believe the outcome is the right result because of the thoroughness and length of the debate. I hope that this indicates a return to the long tradition of real debate on great national issues.

There was no way to cure the ills of this amendment. It was fatally flawed from the outset. There is virtually no way such an amendment can be written without rearranging the carefully constructed balance of powers hammered out by the giant intellect and wisdom of the Framers over 200 years ago, or jeopardizing our Nation's economic or national security in times of crisis or peril.

There are no statutory fixes that can solve the Social Security trust fund problem or any of the other many difficulties inherent in the language of this constitutional amendment. Statutes can never cure a constitutional amendment's flaws. The Constitution supersedes all legislation that is inconsistent therewith. It is the final arbiter, regardless of what promises are made or what legislation is enacted.

So, this unwise and dangerous proposal has been rejected, as it should have been. The proposal has never been well understood by the people. It seems simple, and espouses a worthy goal, but it neither guarantees a balanced budget nor tells the people how one will be achieved.

We hear claims that 80 percent of the American people want this amendment. But the proponents conveniently ignore the deeper probing of those polls, which show that the 80 percent figure is a hollow number, which dissolves when questions about how the amendment would actually be applied are posed. People do not want the Social Security trust fund to be raided. And it has become clear that the trust

fund would be looted, should this amendment ever scar the Constitution. The amendment was and is a seductive, but false and dangerous promise—nothing more.

We have before us, now, both a responsibility and an opportunity with the defeat of this constitutional amendment. We have a responsibility not to delay serious progress on deficit reduction, as the amendment would have allowed us to do. We also have an opportunity to put partisan bickering aside and begin to take steps to get our fiscal house in order. That is what the American people truly want to see. They want us to put the posturing and bickering aside and get down to business together.

So, I eagerly await the majority's plan for deficit reduction. And, I trust that every Senator on this side of the aisle is ready to play a cooperative and constructive role in developing a plan that can become a reality. This has been a bruising debate, but it is time to let the fires cool, and come together for the Nation. Let us begin.

Before I close, I want to commend Senator HATCH for his fair and judicious handling of this matter.

I also wish to again express my admiration for the statesmanlike leadership of Senator TOM DASCHLE. His is a bright and courageous spirit. And, Senator MARK HATFIELD has written his own "profile in courage," as have Senators DORGAN, CONRAD, BINGAMAN, HOLLINGS, FEINSTEIN, and FORD. Senators DODD, SARBANES, MOYNIHAN, BOXER, KENNEDY, REID, LEVIN, BUMPERS, and JOHNSTON have helped greatly to clarify and enlighten the debate on this side of the aisle, as have many others.

But, a special word should go to Senator PAUL SIMON. A more sincere proponent of this proposal is not to be found. Today's outcome was not a loss for the distinguished senior Senator from Illinois. His belief in this solution, his absolute commitment to his cause, and his gentle and fair deportment throughout this debate have added nothing but additional lustre to the fine legacy he leaves here in the Senate. I thank him for being the man that he is. I am proud to serve with him, and deeply honored to call him my friend.

I shall be telling this with a sigh
Somewhere ages and ages hence;
Two roads diverged in a wood, and I—
I took the one less traveled by,
And that has made all the difference.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. HOLLINGS. I thank the distinguished Chair.

Mr. President, I ask unanimous consent to include in the RECORD a letter dated March 1, 1995, to the distinguished majority leader along with an accompanying compromise proposal concerning Social Security which I and four of my colleagues delivered to the distinguished leader yesterday after-

noon at 5 o'clock. Had we voted on this proposal, we could have passed the balanced budget amendment in a flash.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, March 1, 1995.

Hon. ROBERT J. DOLE,
Majority Leader,
U.S. Senate, Washington, DC.

DEAR MR. LEADER: We have received from Senator Domenici's office a proposal to address our concerns about using the Social Security trust funds to balance the Federal budget. We have reviewed this proposal, and after consultations with legal counsel, believe that this statutory approach does not adequately protect Social Security. Specifically, Constitutional experts from the Congressional Research Service advise us that the Constitutional language of the amendment will supersede any statutory constraint.

We want you to know that all of us have voted for, and are prepared to vote for again, a balanced budget amendment. In that spirit, we have attached a version of the balanced budget amendment that we believe can resolve the impasse over the Social Security issue.

To us, the fundamental question is whether the Federal Government will be able to raid the Social Security trust funds. Our proposal modifies those put forth by Senators Reid and Feinstein to address objections raised by some Members of the Majority. Specifically, our proposal prevents the Social Security trust funds from being used for deficit reduction, while still allowing Congress to make any warranted changes to protect the solvency of the funds. The prior language of the Reid and Feinstein amendments was not explicit that adjustments could be made to ensure the soundness of the trust funds.

If the Majority Party can support this solution, then we are confident that the Senate can pass the balanced budget amendment with more than 70 votes. If not, then we see no reason to delay further the vote on final passage for the amendment.

Sincerely,

BYRON L. DORGAN.
ERNEST F. HOLLINGS.
WENDELL H. FORD.
HARRY M. REID.
DIANNE FEINSTEIN.

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ARTICLE —

SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a rollcall vote.

SECTION 2. The limit on the debt of the United States held by the public shall not be increased, unless three-fifths of the whole number of each House shall provide by law for such an increase by a rollcall vote.

SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which total outlays do not exceed total receipts.

SECTION 4. No bill to increase revenue shall become law unless approved by a majority of the whole number of each House by a rollcall vote.

SECTION 5. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which

causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

SECTION 6. The Congress shall enforce and implement this article by appropriate legislation, which may rely on estimates of outlays and receipts.

SECTION 7. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except for those for repayment of debt principal. The receipts (including attributable interest) and outlays of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds (as and if modified to preserve the solvency of the Funds) used to provide old age, survivors, and disabilities benefits shall not be counted as receipts or outlays for purposes of this article.

SECTION 8. This article shall take effect beginning with fiscal year 2002 or with the second fiscal year beginning after its ratification, whichever is later.

Mr. HOLLINGS. Mr. President, I have included this information at this point because it marks the first opportunity that we have had to clear the record. I would like to clarify what I think were misleading statements made earlier by some of my colleagues on the other side of the aisle. Mr. President, in 1982 I worked with the distinguished Senator from Utah and voted for a balanced budget amendment that time. It was not identical to the balanced budget amendment voted on today.

Mr. President, I am a senior citizen as is my colleague, Senator THURMOND. We, at age 72, have to take the benefits. And I can tell you, our contemporaries are not worried about receiving our benefits, because the books show almost one-half trillion dollar surplus in Social Security reserves. Indeed, seniors are more concerned about the fight to come on Medicare. So let us put to rest the notion that we are trying to frighten senior citizens. Rather, what we are attempting to do is to try and keep a solemn trust with middle America. Everybody says we need to do something for middle America. It is middle America that is paying for me to receive Social Security benefits now, and it is middle America who, come their time in the next century, will be taxed again when they become eligible to receive benefits.

The issue here should be about stopping government deficits and not simply moving the general fund deficit over to the Social Security deficit. Some of my colleagues on the other side of the aisle have specifically articulated the latter idea. Indeed, my friend, the Senator from Mississippi said on "Face the Nation" on February 5:

Nobody—Republican, Democrat, conservative, liberal, moderate—is even thinking about using Social Security to balance the budget.

Mr. President, I agree with the Senator from Mississippi. But the actions of some of my Republican friends seem to indicate otherwise. Like John

Mitchell, the former Attorney General, used to say, "Watch what we do, not what we say." Just last evening on "Larry King Live," the distinguished Senator from Texas, Senator GRAMM, said:

I think we ought to balance the budget counting Social Security first, and then if we want to balance it without counting it, do it second.

Clearly, this statement reflects an intent to use Social Security surpluses.

In addition, the chairman of the Senate Budget Committee, Senator DOMENICI, has said: "You can't leave the biggest American program off budget." However, my friend, the distinguished Senator from New Mexico, voted to leave it off budget both in committee in July 1990 and later on the floor in reference to the Hollings-Heinz amendment which passed 98 to 2, and was signed into law by President Bush.

I ask unanimous consent that the law be printed in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BUDGET ENFORCEMENT ACT

Subtitle C—Social Security

SEC. 13301. OFF-BUDGET STATUS OF OASDI TRUST FUNDS.

(a) EXCLUSION OF SOCIAL SECURITY FROM ALL BUDGETS.—Notwithstanding any other provision of law, the receipts and disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

- (1) the budget of the United States Government as submitted by the President,
- (2) the congressional budget, or
- (3) the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) EXCLUSION OF SOCIAL SECURITY FROM CONGRESSIONAL BUDGET.—Section 301(a) of the Congressional Budget Act of 1974 is amended by adding at the end the following: "The concurrent resolution shall not include the outlays and revenue totals of the old age, survivors, and disability insurance program established under title II of the Social Security Act or the related provisions of the Internal Revenue Code of 1986 in the surplus or deficit totals required by this subsection or in any other surplus or deficit totals required by this title."

Mr. HOLLINGS. Next, Mr. President, I refer to Senator GRASSLEY of Iowa who said:

The leadership of the House of Representatives and the Senate have promised not to touch the Social Security retirement program for at least 5 years.

Do they have it in mind after 5 years? On March 1, my distinguished colleague, Senator CRAIG said:

Without access to the Social Security surpluses, you would create a much higher hurdle in trying to balance the budget.

That is true, but not requiring that higher hurdle means that you are going to use Social Security funds.

Finally, on February 5, 1995, the distinguished majority leader, Senator DOLE said:

I also believe that we can't keep Social Security off the table forever.

Mr. President, that is not the promise we made in 1983. When this Senator and others raised Social Security FICA taxes, we promised otherwise. We must keep the contract made by President Roosevelt in 1935; we must keep the promise made back in 1983 that these taxes would not be used to pay for foreign aid, welfare, or any other Government program; and we must continue in our resolve to keep our commitment to middle America intact.

I thank the Chair.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAIG. Mr. President, I will be brief because several other Senators want to speak this afternoon. I did want to comment and thank a variety of people who have worked so closely with myself and Senator HATCH of Utah and Senator PAUL SIMON of Illinois, in attempting to pass this important amendment, so that we can propose it to the citizens of our country for their consideration.

Let me, first of all, recognize Damon Tobias on my staff, who literally has become "Mr. Constitutional Amendment on the Balanced Budget" as he has worked for me over a good number of years and is recognized for his authority and expertise in the area. Throughout all of these efforts for the last good number of months, he has been assisted by Alan Kay on my staff, and recently by a legislative fellow Roy Fairchild, and an intern, Dean Sorensen, who have done a tremendously masterful job in cooperation with all the rest of my staff, in being able to supply to the Senate a vast array of information and facts that deal with this most important issue, and to assemble them in a way that was readily usable so we could debate this, now for nearly 5 full weeks, without breaks in the debate and with ample material to supply the RECORD and to hopefully have given the citizens of our country ample information in making a choice that I had hoped we would have the wisdom to give them.

But the vote turned out otherwise today. So we will be back again to revisit this issue—next week or next month or next year. And we will, for a very simple reason, Mr. President: There is not a Senator on this floor who has the right to deny the American people an opportunity to change their law—not our law but their law—the Constitution, the organic act that governs our country and, most importantly, Mr. President, the very law that governs us.

I will have to admit there has been a display of knowledge here that verges on all knowledge and all knowing, that this is the seat of wisdom, and from this seat, all decisions for America and Americans will be made.

I suggest to those who serve here that that will be denied. There will come a day—and it will be very soon—when Americans will speak again to those who deny them the opportunity

to change their Nation in a way they see fit to change it, to protect the Social Security system, to assure that the Government governs properly but, most importantly, to look to the future and to honor the future.

Today we saw a Senate that looked backward. We saw a Senate that said that the past is better than the future. Are we going to be guardians of the past, or are we truly going to be the visionaries of the future? I suggest that the American people, in November, were talking of our future. They were most assuredly not talking of our past—for the past is \$4.8 trillion of debt.

This body—all of us, all Senators alike—has to take the responsibility for that debt. And today and for the last 5 weeks, we have struggled to give one moment of time in history to the American people. So they could choose how we would handle that debt. Yet, the central power and the central wisdom prevailed today. I suggest that it is not the wisdom of the American people, nor was it their wish.

So ORRIN HATCH, LARRY CRAIG and, hopefully, PAUL SIMON, before he retires, will have an opportunity to come to the floor of the Senate again, once the American people have recognized that President Clinton denied them that opportunity today, that he once again backtracked away from his pledge to the American people that he would progressively and in a positive sense bring down the deficit. This year, in his budget resolution, he walked away and denied what was once a promise and a pledge.

I suggest that the American people will not be denied, and they will have the opportunity to change the organic law like other Congresses in the past have seen the wisdom to allow them that choice.

I am amazed, Mr. President; I am absolutely amazed that even one Senator would not allow the citizens of his or her State the right to make a choice. But that was denied today—falsely denied, wrongly denied. I suggest that those citizens, in the long-term, will not be denied.

It has been a tremendous opportunity for me and for all of those colleagues who have joined with me in this issue and in this debate. And I would agree with the Senator from West Virginia, it has been a positive debate. It has been most constructive, and all ramifications of the issue have been thoroughly brought to this floor, some falsely, some under improper clothing or dress, some presented in ways that were illusory and not fact.

But the reality is that in the end this is an issue that will not go away and it will ultimately prevail.

Mr. President, I want to thank all of those who have joined with me, and most assuredly my staff, for their tremendous dedication as we brought this issue to the floor.

And I wish to thank the majority leader of the U.S. Senate, BOB DOLE, for offering the tremendous leadership

and taking the kinds of risks that must be taken as a leader to allow the American people their right to govern us.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

EXTENDING MORNING BUSINESS UNTIL 4:15 P.M.

Mr. LOTT. Mr. President, I ask unanimous consent that the period for morning business be extended until 4:15 p.m. today, under the same terms and conditions as previously ordered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Mr. President, I yield 1 minute to the distinguished Senator from Delaware.

PARLIAMENTARY INQUIRY

Mr. BIDEN. Mr. President, I have a parliamentary inquiry.

I am a supporter of this amendment. I voted for the amendment, and I will vote for it again if it comes up in a similar form that it came up now.

But I have a parliamentary inquiry. When the majority leader changed his vote from "yes" to "no" and did not make the motion to reconsider, is it within the province of the majority leader at any time at any place as long as the Senate is in session to move without debate to the motion to reconsider?

The PRESIDING OFFICER. Yes, it is.

Mr. BIDEN. Mr. President, may I have another 60 seconds?

Mr. DASCHLE. I yield the Senator an additional 60 seconds.

Mr. BIDEN. Mr. President, I am for this amendment. There has been a little bit of blood that has been spilled on the floor here in the last couple of days, especially when the unanimous consent to vote at a certain time was obviated by our being pushed into a recess, a legitimate parliamentary move, but one that sort of violated the spirit of what everyone thought was going to happen.

I hope and I plead with the majority leader that when he moves to reconsider—and I will be with him; I will be for this under the following circumstance: as long as we all know it is going to be done and everyone is here. If the majority leader called for a motion to reconsider knowing that there were absences that would affect the outcome of this vote, I would, on a matter of procedure, change my vote to prevent that happening. I do not think that is the majority leader's intention, but I do not want to mislead anybody. I think this is so important that this has to be dealt with straight up, with all 100 Senators, unless they are ill, in the hospital and cannot make it, that every consideration should be given to every Senator to be able to vote.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

BALANCED BUDGET CONSTITUTIONAL AMENDMENT

Mr. DASCHLE. Mr. President, a number of people have spoken, and I know others are waiting to speak. I do not want to be long.

Let me just say what I have said on several occasions, that we owe the American people our best effort. Before this amendment was to go out to be voted upon by the American people, we owed it our best effort. The amendment that was pending prior to the last vote is not our best effort. Accordingly, the Senate has acted wisely in refusing to endorse this particular proposal to amend our Constitution.

Those who stood against it did so for good reasons. Supporters refused to guarantee that Social Security would be protected.

The prospects for this amendment were entirely in the hands of the majority. It was their choice.

Until 2 days ago, Senators were asked to bet on the chance that a new and different Senate 7 years from now would honor promises made by Members of this Senate.

Two days ago, for the first time, the majority conceded that they indeed intend to do exactly what we and seniors feared—use the Social Security trust funds to balance the budget. In a last-minute attempt to secure one more vote for this proposal, they offered to stop raiding the trust funds in 2012. The offer was later modified to 2010 and, finally, to 2008.

They missed the point. Those of us fighting to protect Social Security believe the retirement funds Americans have paid into the Social Security trust funds should be left untouched, period. Every American who has paid into the system has a right to expect those funds to stay there and be available to them when it is their turn to collect them.

For the majority to agree to stop using those funds to buy down the debt after virtually all those funds are gone reflects a cynicism that is solely disappointing. As the Senator from north Dakota has stated so well, balancing the budget by depleting the Social Security trust funds is not balancing the budget at all.

During this debate, 43 motions and amendments were offered, many of which would have substantially improved the proposals. Forty-two were rejected, essentially along partisan lines.

We offered language to guarantee the future of the Social Security System. Several Democratic Senators stated explicitly they would support the amendment if Social Security were protected.

We offered language to protect against unconstitutional Presidential impoundments; language to give States